

**MEMORANDUM**

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: December 9, 2011

SUBJECT: Final Report - ZC 11-12, Consolidated PUD and related Map Amendment from the R-5-B to CR at Square 37, Lots 836, 837 and 855 (West End Square 37)

I. APPLICATION

EastBanc-W.D.C. Partners LLC (Applicant) on behalf of the District of Columbia and 699N, LLC submitted an application for a Consolidated Planned Unit Development (PUD) and related map amendment from the R-5-B to the CR zone in Square 37, Lots 836, 837 and 855. On July 25, 2011 the Zoning Commission voted to set the application down for a public hearing.

The proposed project would replace the existing West End branch library, the Police Operations facility and a surface parking lot with a mixed use development consisting of a state-of-the art West End Branch Library and neighborhood serving retail uses on the ground floor with a an additional ten-stories of residences above.

II. SUMMARY RECOMMENDATION

The Office of Planning (OP) supports the redevelopment of the subject property (Square 37). There has been redevelopment on many of the properties in the vicinity of the site over the past few years and the proposed replacement of the outdated library and police operations facility to modern facilities will benefit the West End neighborhood and well as the District as a whole.

OP has reviewed the planned unit development in the context of the Comprehensive Plan, the zoning regulations, neighborhood context and transit oriented development policies. OP recommends approval of the PUD with the following conditions:

1. Reduction in the residential parking ratio now proposed at 1.5 space per unit
2. Pulling back of the northernmost projection on 23rd Street (shown on 6th Floor), so it is flush with the property line to avoid the unnecessary impact on the residential unit in the adjacent building across the alley
3. Clarification of the benefits and amenities commitments of the PUD

III. PROJECT UPDATES SINCE SETDOWN

- The project's overall square footage has decreased by 4,696 square feet which is reflected in a slight decrease in floor area ratio (FAR) from 7.0 to 6.9 FAR.
- The number of units has been reduced from 174 to 164 units. The units are more evenly distributed between the two wings of the building.
- The parking flexibility for the retail has been withdrawn and now meets the requirement.
- The parking ratio for the residential use has increased from a ratio of 1:1 to a 1:1.5 spaces per unit, a third level of parking has been added and the number of parking spaces has been increased from 186 to 270 spaces.
- The landscape strips have been replaced with larger curvilinear landscaped zones thereby reducing the hardscape and allowing for a larger space for outdoor cafes and seating areas.
- The lay-bys proposed along L Street and at the garage driveway from 24th Street have been eliminated and have been replaced with residential loading zones. The 23rd Street lay-by has been reduced from 60 feet to 40 feet; however the Applicant continues to work with DDOT on an alternate to the lay-by.



- The access to and from the garage for residential, library, retail, and car share users has been further defined.
- An update on the status of the affordable units required in the LDDA has been provided.
- An outline regarding the maintenance of the green terraces has been provided.
- The north face of the building adjacent to the 15-foot wide east-west alley has been pulled back 5 feet from the property line and will be incorporated into the alley, thus increasing its effective width to 20 feet.

IV. OFFICE OF PLANNING ISSUES

Number of parking spaces

At the time of setdown, the application proposed 180 parking spaces or a ratio of 1 space per unit to serve the 174 units. OP indicated that such a parking ratio was high for a transit area served by three Metro stations, and several Metro and the Circulator bus lines. The proposal has since been reduced to 164 units and the Applicant subsequently proposes an increase in the parking ratio to 1.5 space per units or 248 residential spaces which exceeds three times the 82 spaces required by zoning. OP's evaluation of the consultant's statement reveals that the study did not seem to take into consideration the District's parking policy and suggests that because of the "affluence of the target market" higher parking rations should be applied. (Tab F November 29, 2011 Supplemental Statement)

The applicant's application cites the proximity of the Property to Metrorail, Circulator and Metrobus lines as transportation features of the PUD that mitigate traffic impacts, and are environmental benefits:

3. Transportation Features; 11 DCMR §2403.9(c). The project has several features that will mitigate traffic impacts generated by the development. For example, the PUD contains ground floor retail and service uses and is located less than one-quarter of a mile from two supermarkets, reducing the need to drive elsewhere for groceries or basic convenience items. Also, the Property is within walking distance of the Foggy-Bottom-GWU Metrorail Station on the Blue and Orange Lines (one-quarter of a mile), the Dupont Circle Metrorail Station on the Red Line (one-half mile) and the Faragut North Station on the Red line (six-tenths of a mile). It is one block from the Dupont-Roslyn [sic] Circulator route and two blocks from the Union Station to Georgetown Circulator route; and the neighborhood is well served by two Metrobus lines... (page 20 of June 8, 2011 Application)

6. Environmental Benefits; 11 DCMR §2403.9(h)

b. Transportation. The PUD will incorporate policies and infrastructure that support alternate means of transportation; thus discouraging vehicle use and helping reduce the carbon footprint of the building occupants. For example, secured bicycle storage will be provided for the Library and retail patrons and residents in order to encourage alternative transportation and achieve credit *SSc4.2-Alternative Transportation – Bicycle Storage*. The project will provide preferred parking for low-emitting vehicles, and will consider providing alternative-fuel vehicle fueling/charging stations in order to meet credit *SSc4.3 Alternative Transportation – Low-Emitting and Fuel-Efficient Vehicle*. The buildings proximity to public transportation – both Metrobus and Metrorail service- exceeds the LEED credit requirements for *SSc4.1 Alternative Transportation –Public Transportation Access*. (page 22 of June 8, 2011 Application)

OP finds that providing parking in such excess of the code requirements contrary to the above. OP has indicated to the applicant on several occasions that the initial proposed residential parking ratio was too high in light of the proximity and access to such extensive public transportation options. OP cannot recommend the further increased parking ratio of 1.5 space per unit. The increased ratio requires the construction of a third below grade parking level. OP continues to encourage the developer to consider far less parking.

The Applicant submitted a table (November 29, 2011 submission, Tab G) showing parking ratios for a number of projects. OP looked further at these projects to see which were reviewed by the Zoning Commission through the PUD process and their proximity to a Metro station (See table below). The closest station to the proposed project is the Foggy Bottom station which is 0.2 mile away and is a comparable distance to most of the projects identified. From our analysis, all project identified were matter-or-right developments except #8 – West End 25 which was a PUD (ZC 06-35). Further, the buildings in the West End 25 project were converted to residential from office buildings constructed prior to 1970. ZC 06-35 approved the conversion from office to residential uses and retained the parking which was built to the office use which is unlike the proposed project which is constructing new parking.

| Location Number | Project | Address | PUD | Closest Metro Station | Distance to Metro |
|-----------------|---|--|-----|--------------------------------|-------------------|
| 1 | 3303 Water Street, NW | 3303 Water Street, NW | No | Foggy Bottom | 0.9 mi. |
| 2 | 22 West | 1177 22 nd Street, NW | No | Foggy Bottom | 0.3 ml |
| 3 - N/A | Turnberry* | Arlington, VA | N/A | N/A | N/A |
| 4 | Ritz-Carlton West End | 1111 23 rd Street, NW | No | Foggy Bottom | 0.3 mi. |
| 5 | Wardman West | 2660 Woodley Road, NW | No | Woodley Park | 0.2 mi. |
| 6 | 2501 Penn | 2501 Pennsylvania Ave., NW | No | Foggy Bottom | 0.2 mi. |
| 7 | City Center – Condos City Center – Rentals | Between NY Ave., H, 9 th and 11 th Streets, NW | No | Gallery Place/ Metro Center | 0.2 mi. |
| 8 | West End 25 | 1229-1231 25 th Street, NW | Yes | Foggy Bottom | 0.4 mi. |
| 9 | 2400 M Street | 2400 M Street, NW | No | Foggy Bottom | 0.3 mi. |
| 10 | The Avenue | 2200 Pennsylvania Ave., NW | No | Foggy Bottom | 0.05 mi. |
| 11 | Ashton | 750 3 rd Street, NW | No | Metro Center | 0.2 mi. |
| 12 | Kennedy Warren | 3133 Connecticut Ave., NW | No | Foggy Bottom | 0.2 mi. |
| 13 | Wormley | 3322 Prospect Street, NW | No | Foggy Bottom | 1.4 mi. |

Projections into public space

The building has a number of areas which project into public space. In most cases, it seems the projections will not significantly affect sightlines along the street except for the projection along 23rd Street which has a projection at the 5th floor that will inhibit views down 23rd Street from the 7th floor of the adjacent Gibson apartments. OP believes that by pulling this singular projection back to the property line, the impact could be mitigated.

Public Open Space

The proposal reduces the required at grade open space and needs to provide a justification for the reduction.

Streetscape and Utility grates

The overall streetscape design around the building consists of a number of components; uniquely shaped planters, at grade planted areas, street trees, benches, a bike rack and trash receptacles. The layout and design of tree boxes, sidewalk scoring, and landscaping do not follow DC standards as currently designed and the streetscape acts more like an extension of the building rather than a connection to the existing streetscape of other buildings and to the fabric of the city.

The submission continues to show the vaults within the public space along L Street. Even though the vaults are not within the pedestrian zone, the location of vaults in public space is contrary to the District's policy of not permitting electrical vaults in public space. These issues will be further reviewed by DDOT in their report and by DDOT's Public Space Committee.

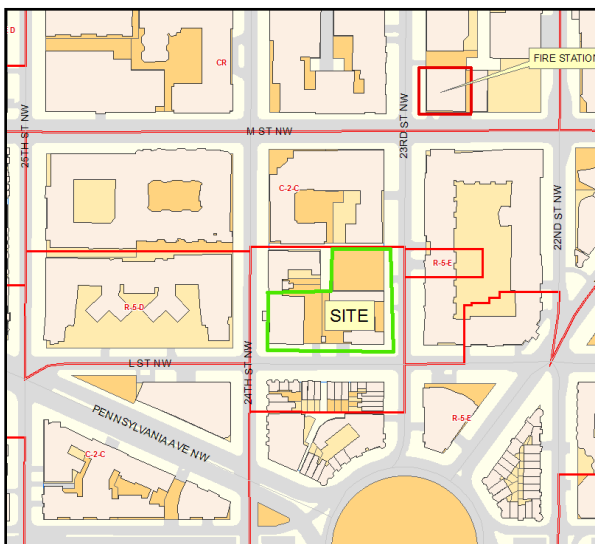
Benefits/Amenities

The project claims a number of public benefits. The most significant being the reconstruction of a new library on site. As part of an additional contracts with the City, the development of this project will also fund the construction of a new fire station on Square 50. OP strongly supports these two significant public benefits, and concludes that their combined provision is commensurate with the flexibility requested to height and density and other areas.

In addition the application lists several green elements and programs related to jobs but have not provided a level of commitment that is enforceable. OP recommends that the applicant provide a final list of detailed proffered benefits and amenities.

V. SITE DESCRIPTION

The site, Square 37, Lots 836, 837 and 855 is located in the West End neighborhood. The parcels combine for a total of 46,764 square feet. Lot 836 is currently developed with the West End Branch Library, Lot 837 with the Police Special Operations facility and Lot 855 is a surface parking lot. The square is bounded by L Street to the south; 23rd Street to the east; 24th Street and a 30-foot wide public alley to the west; a 15-foot public alley and the Ritz Hotel to the north; all within the R-5-B zone.



VI. AREA DESCRIPTION

The property is within the West End neighborhood which is developed with a variety of residential, hotels, office and retail uses. Immediately to the north, in the same square is the ninety-foot Gibson condominium building, two 2-story townhouses and a 4-story apartment building in the R-5-B zone, on the northern portion of the square is the nine-story Westin Hotel in the C-2-C zone; across 23rd Street to the east is the ten-story Ritz Carlton residences and the Ritz-Carlton hotel developed under a CR PUD; to the south across L Street are three-story row houses in the R-5-D zone; and to the west across 24th Street is the eight-story Columbia Residences developed under a C-2-C PUD.

VII. BACKGROUND

The District Government is the current owner of Lots 835 and 836 while 66 LLC is the owner of Lot 855 in Square 37. On November 22, 2010 the City Council approved a Land Disposition Agreement (LDA) for the redevelopment of the properties. The agreement stipulates that a new fire station for Engine Company 1 be constructed at 2225 M Street, N.W and the existing library on the site be replaced. Additionally, the LDA states that the affordable housing requirement for this site and Square 50, be provided above the fire station on Square 55¹. The Applicant will not be able to obtain a Certificate of Occupancy (C of O) for this proposed PUD until a (C of O) is also issued for the fire station.

VIII. PROPOSAL

The proposed L-shaped property will accommodate a 322,608 square foot building of similar shape with a mixture of uses consisting of a new West End branch library, ground floor retail, and residential use. The building is proposed for a height of 110 feet and a FAR of 6.90.

The new library will occupy approximately 20,164 square feet on the ground floor of the building, with a majority of the frontage along L Street, but also extending along 24th Street. The main entrance will be from L Street. The library will have meeting rooms, conference rooms and study rooms which can be accessed and used independently when the library is closed. A café is proposed at the corner of L and 24th streets, which can be opened seamlessly into the library and operate together or can be closed off to operate independently.

Retail use will be along the northern portion of 23rd Street and will occupy 7,617 square feet of space (including the café at the 24th and L streets corner). Each retail use will have its own access from 23rd Street and will be able to accommodate outdoor seating, if desired.

The residential use will occupy approximately 288,678 square feet of space and will accommodate 164 residences consisting of 1-, 2- and 3-bedroom units. The residential building will be separated into two portions by a firewall that does not allow across-floor connections. Due to this separation, there will be two elevator cores and the residences will have entrances off 23rd Street and 24th Street. The 23rd Street (East Core) entrance is located between the café and the retail use and will serve 93 units. An entrance off 24th Street will serve the West Core 71 units. Entrance to the parking garage would be adjacent to the West Core's entrance. A green roof, green terraces, a roof-top pool and communal space for various activities will be provided to complement the residential use.

¹Because the LDA cannot amend zoning, the applicant has requested flexibility to not provide any affordable units within this project as part of the balancing of other significant public benefits. The provision for the affordable units on Square 55 is independent of this application.

Parking to serve all the uses would be provided in three levels of underground parking, accessed from 24th Street. Egress from the parking garage will be via the north-south alley and then on to east-west alley. Loading facilities would only be accessed via 23rd Street and the portion of the alley to the north of the building.

IX. ZONING AND PUD RELATED MAP AMENDMENT

The proposed map amendment would change the zoning from the R-5-B district to the PUD-related CR district. The R-5 Districts are general residence districts which permit flexibility of design in a single district, all types of urban residential development, provided they conform to the established height, density and area requirements. Institutional and semi-public buildings that would be compatible with adjoining residential uses are also permitted. This district also permits development with moderate height and density.

The Mixed Use Commercial Residential (CR) district encourages a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, light industrial, and other miscellaneous uses. In this district development is guided by public policy or plan and implemented through a review process such as the PUD. Section 600.3 of the Regulations outlines the intent of the review of projects within the zone as follows;

- (a) *Help create major new residential and mixed use areas in planned locations at appropriate densities, heights, and mixtures of uses;*
- (b) *. . .*
- (c) *Encourage areas devoted primarily to pedestrians by separating pedestrian and vehicular circulation patterns and by requiring off-street parking spaces in accordance with this objective and with the objectives of specific area plans;*
- (d) *Encourage flexibility in architectural design and building bulk; provided, that the designs and building bulk shall be compatible and harmonious with adjoining development over the CR District as a whole;*
- (e) *Make recreation areas more accessible to the CR District's residents and visitors; and*
- (f) *In a variety of ways, create environments conducive to a higher quality of life and environment for residents, businesses, employees, and institutions in the District of Columbia as specified in District plans and policies.*

The following table shows the zoning requirements for the existing matter-of-right and proposed PUD zones and the Applicant's specific proposal.

Table 1

| | R-5-B MOR | CR PUD | PROPOSAL | COMPLIANCE |
|---|---|---|---|----------------------------------|
| Min. Lot Area § 2401.1 | 1 acre (PUD) | 15,000 sf. | 46,764 sf | Complies |
| FAR § 2405.2 § 411.7 (penthouse) | 3.0 | 8.0 0.37 | 6.9 0.30 | Complies |
| Lot Occupancy § 634 | 75% residential 100% non-residential | 75% residential 100% non-residential | 82% residential 100% non-residential | Flexibility requested |
| Height § 2405.1 | 60 ft. | 110 ft. | 110 ft. | Complies |
| Side Yard § 637.1 | None required | None required | 0 ft. | Complies |
| Rear Yard § 636.5 | None required | None required | 0 ft. | Complies |

| | | | | |
|--|---|--|---|---|
| Closed/Open Courts § 638.1 and 638.b | 3 ins./1 ft. height but not less than 6 and 10 ft. | Closed #1: 12 ft. Open #2: 6 ft. Open #3: 6 ft. Open #4: 28.3ft. Open #5: 29.0ft. Open #6: 6 ft. Open #7: 27.6 ft. | Closed #1: 25.5 ft. Open #2: 55.2 ft. Open #3: 36.1 ft. Open #4: 112.2 ft. Open #5: 97 ft. Open #6: 55.2 ft. Open #7: 143.6 ft. | Complies Complies Complies Complies Complies Complies Complies |
| Parking § 2101.1 | <u>Residential</u> 1 per 3 du. <u>Retail:</u> 1/300 sf. gfa >3,000sf <u>Library</u> | <u>Residential</u> 1 per 3 du. = 55 <u>Retail</u> 1/750 sf. gfa >3,000sf = 9 <u>Library</u> 1/1,000 sf. gfa >3,000sf = 18 <u>Total: 82</u> | <u>Residential</u> 248 <u>Retail</u> 9 <u>Library</u> 6 <u>Care Share/HC</u> 8 <u>Total: 270</u> | <u>Residential</u> Complies <u>Retail</u> Complies <u>Library</u> Flexibility requested |
| Bike Parking § 2119.1 | 5% required retail and service uses | 5% of required retail = 1 5% of required library = 1 | 90 | Complies |
| Loading § 2201.1 | <u>Residential</u> 1 @ 55 ft. deep 1 platform @ 200 sf 1 service space @ 20 ft. <u>Retail</u> 1 berth @ 30 ft. 1 platform @ 100 sf. | <u>Residential</u> 1 @ 55 ft. deep 1 platform @ 200 sf 1 service space @ 20 ft. <u>Retail</u> 1 berth @ 30 ft. 1 platform @ 100 sf. | <u>Residential</u> 1 @ 30 ft. deep 1 platform @ 200 sf 1 service space @ 20 ft. <u>Retail</u> 1 berth @ 30 ft. 1 platform @ 100 sf. | <u>Residential</u> Flexibility requested <u>Retail</u> Complies |
| Roof Structure § 411.3 & § 411.4 | One | One | 3 proposed | Flexibility requested |
| Enclosure height § 411.5 | Uniform height | Uniform height | Unequal heights | Flexibility requested |
| Roof Structure Setback § 411.7 | 1:1 setback from exterior walls | 1:1 setback from exterior walls | Lower penthouses have setbacks less than required. | Flexibility requested |
| Public Open Space at Ground Level § 633.1 | Not required | 10% of lot area = 4,676 sf. | 4,495 sf. | Flexibility requested |
| IZ requirements (2603.2) | 8% of residential space | 8% of residential space or 23,094 sf | 0 sf | Flexibility requested |

Flexibility

As highlighted on the table above, the Applicant has requested flexibility from several zoning requirements under the provisions of § 2405.7.

Affordable Units: The Inclusionary Zoning (IZ) requirement under §2603.2 for the proposed development would be a minimum of 23,094 square feet of space. The Applicant has requested flexibility to not provide its IZ requirement on-site. The Applicant's agreement with the District under the LDA is that 52 affordable units would be provided at 2225 M Street, NW, above the new fire station. The original LDA tied the provision of the

affordable units to low income tax credits and the District providing gap equity financing. Due to the District's financial situation, the LDA was amended to state that if the gap financing is not provided by April 1, 2012, then the Applicant would provide a residential project that meets the IZ requirement on Square 50.

Vehicle Parking: The Applicant proposes to provide 270 parking spaces rather than the required 82 parking spaces for all the uses, which is over three times the amount required for all the uses. This increase has come about even after OP and DDOT voiced our concerns when 190 spaces were proposed. The applicant has stated that based on a consultant study they were informed that a parking ration of 1 space per 1.5 units is the appropriate number of spaces for the development. However, the November 29, 2011 submission (Tab F) did not reference or indicate that the study addressed the District's policies regarding parking in an urban transit area. OP, therefore, is not in support of the proposed number of residential parking spaces.

Loading: The Applicant requests relief to provide a 30-foot berth rather than the required 50-foot berth based on experience within the District that the proposed uses would not require a 50-foot berth. The applicant has provided drawings to show truck access and egress into the loading areas. A loading dock manager would also be hired to coordinate move-in, move-out and deliveries in order to minimize truck-parking on the street which could impede traffic. The November 22, 2011 plans at Sheets C-11 to C-16 show truck turning movements accessing the loading docks.

Public Open Space: The required open space at grade has been reduced by 181 square feet. Additional information is needed to explain this reduction.

Multiple Roof Structures with less than the 1:1 setback ratio and with unequal heights: Sheets A-14, A-15, and A-16 of the architectural drawings show the location of the proposed roof structures. One lower penthouse would house mechanical equipment for the building, the pool and communal recreational spaces. The upper penthouses would house a pool, associated changing rooms, stairs and elevator core. The height of the enclosures has been reduced to an appropriate height relative to the system they enclose, set back from adjacent streets and placed towards the rear of the building to the greatest extent possible to reduce the visibility of the structures from adjacent streets.

The Applicant has stated that the communal recreational space may include media rooms, game rooms, communal rooms and kitchenette. In conversations with the Zoning Administrator, he deemed that the proposed uses are not accessory to the roof-top pool and therefore flexibility should be requested. The Applicant in their submission seems to imply that other uses may be included. The applicant in seeking flexibility should state if these are the only uses which are being proposed.

X. PUD EVALUATION STANDARDS

Section 2403 outlines the standards under which the application is evaluated.

"The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project."

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. Section 2400.1 states that a PUD is "designed to encourage high quality development that provide public benefits." In order to maximize the use of the site consistent with the zoning regulations and to utilize opportunities for additional FAR, the Applicant is requesting that the proposal be reviewed as a consolidated PUD to allow the utilization of the flexibility stated in Section 2400.2. The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations, or results in an action inconsistent with the Comprehensive Plan.

Public amenities are defined in Section 2407.3 as including “one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors.” Section 2403.9 outlines “Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following categories:

Urban Design and Site Planning

The application proposes an eclectic building design that will have an aluminum window-wall system with large, motorized venetian blinds and clear glass for the ground floor library and retail uses. Buildings within the West End neighborhood have a variety of architectural styles and building materials with which this building will be compatible. The proposed building’s height and scale would also be in context with other development in the surrounding neighborhood. At the base of the buildings along L and 23rd Streets are enclosed metal, perforated boxes projecting from the building, the plans should identify the function of this area.

In many cases, libraries are a centerpiece of the community and since this building will house a library, its distinct architecture is appropriate to highlight this function. The design of the library and the retail uses on the ground floor will be enhanced by the sidewalk landscaping. The building design has taken care to place all parking, loading and trash functions either underground or fully away from the adjacent streets.

The Applicant has provided elevation drawings of all sides of the building which feature balcony projections into public space along 23rd, 24th and L Streets (Sheets A-50 to A-53). In most cases, it seems the projections will not significantly affect sightlines along the street except for the projection along 23rd Street at the 5th floor that will inhibit views down 23rd Street from the 7th floor of the adjacent Gibson apartments. OP continues to express concerns that the proposed development would negatively affect a few residents of the Gibson whose sight lines would be compromised by this extension into public space. OP also believes this issue can easily be resolved by pulling the singular projection back to the property line.

The proposed concept design has been reviewed by the US Commission of Fine arts which has given concept approval to the design and recommended further refinements such as *the “de-emphasis of super graphics on the windows to support the clear architectural expression of the entrance”* in reference to the library (November 29, 2011 submission, Tab A). They also recommended that attention be given to *“issues of building performance, such as the maintenance of the glass and metal skin of the building.”*

Landscaping and Streetscape Design

The overall streetscape design around the building consists of a number of components. Along L Street and directly adjacent to the library are at-grade plantings to buffer the serenity of the library from activity along the sidewalk. The public space around the building is proposed to be improved with irregular shaped planters and at-grade planted areas, street trees, benches, a bike rack and trash receptacles. Easy pedestrian movements are accommodated in a 10-foot wide “Pedestrian Clear Zone” along the sidewalk. The layout and design of tree boxes, sidewalk scoring, and landscaping are contrary to DC standards as currently designed as the streetscape acts more like an extension of the building rather than connecting the site to the fabric of the city.

The submission continues to show the vaults within the public space along L Street. Even though the vaults are not within the pedestrian zone, the location of vaults in public space concerns the District, as electrical vaults are no longer permitted in public space. These issues will be further reviewed by DDOT in their report and by DDOT’s Public Space Committee.

Transportation and Parking

The Applicant has submitted a traffic impact study emphasizing the project’s context in the neighborhood. It includes a survey of existing conditions and future background development, as well as the project’s trip

generation. The study concludes that the development will have no adverse impact on traffic and transportation. As previously stated, there is a significant increase in parking for the residents over the number of spaces required by zoning and as originally set down by the Commission.

The justification for such a course of action at the time of setdown was that the “residents will not have to compete for off-site parking”. Subsequently, the applicant now states that a study of similar projects show that an even greater number of spaces is required. In their written submission, the Applicant while highlighting the site’s proximity to three Metro stations and the Circulator bus lines significantly increased the parking from a ratio of 1 space per 3 dwelling units to a 1 space per 1.5 unit ratio. OP does not accept residential parking at such high a ratio as a benefit of the project.

The Applicant did not provide to OP any additional information beyond what seems to be an outline of a Transportation Demand Management (TDM) Plan and a Loading Management Plan with a facility manager to coordinate the use of the berths. More detailed information was submitted to DDOT for review. OP is very supportive of the 90 bike parking spaces, lounge and shower that are being provided for visitors, employees and residents (Plan A-02). The bike parking spaces have been relocated so they are in close proximity to the stairs and elevators. DDOT will assess the sufficiency of the Applicant’s estimates and proposals under separate cover.

Housing

The proposed housing development with 164 units (71 units in the West wing and 93 in the East wing) would further enhance and add to the housing stock in the West End. OP is encouraged that the proposal has a variety of unit types, 1-2- and 3-bedroom units and particularly welcomes the inclusion of 24, 3-bedroom units. The breakdown of the number of units within each unit type is shown on the Applicant’s November 29, 2011, submission at page 8.

Retail

The development will provide 7,617 square feet of retail space on the ground floor mainly along 23rd Street. A café, integrated into the library design will anchor the 23rd and L Street corner. OP is very supportive of retail uses, as it would be neighborhood serving and would add to the pedestrian experience along 23rd Street.

Social Service Facilities and Use of Special Value

The development will include a new West End Library on-site and also a new fire station on Square 50, both of which will be of special value to the West End and greater Foggy Bottom neighborhood, as well as to the District as a whole. The facilities would provide new state of the arts facilities to accommodate the community even when the library is closed. The library will have 20,164 square feet of space. DC Public Library’s (DCPL) standard square footage for neighborhood libraries is approximately 22,000 square feet, however the LDA specified 20,164 square feet for the West End library. The Chief Librarian has stated that DCPL has worked with the community on the design and programs that will be provided and they would be accommodated within the 20,164 square feet of space.

Green Elements

The Applicant proposes an environmentally sensitive building that would include a number of elements which focuses on energy efficiency and improving air and water quality. The development would include a water collection system to capture and re-use all of the rainwater and groundwater entering the site, thereby reducing water use and run-off. The building would have an extensive green roof system and green terraces to help reduce run-off and the heat island affect. The Applicant is also exploring ways to optimize energy performance through the use of the most efficient methods of providing heat, ventilation, and air conditioning. On Sheet A-58 of the architectural drawings, the project components would total up to 110 LEED points and the Applicant has committed to LEED Silver certification. Sheets A-54 and A-55 outlines the maintenance methods to be used which will be a combination of operable windows from within the units, as well as exterior access through methods usually used by window washers.

OP is supportive of the many ways in which the building would be environmentally sensitive, and recommends that a detailed list of all the elements to which the developer is committing or proffering be provided.

Local Business Opportunities and First Source Agreements

The submission includes a signed agreement with the District of Columbia Department of Small and Local Business Development (DSLBD) and would include participation by small, local and disadvantaged businesses in the contracted development costs in connection with the design development, construction, maintenance and security of the project.

Similarly, there is a signed agreement with the Department of Employment Services and DOES as its first source for recruitment, referral and placement of new hires for employees whose jobs are created by the PUD. The Applicant has committed to training District residents to provide short-term jobs and assist in developing career opportunities in construction trades and has also committed to assisting and placing Ward 2 residents in job training programs. However, the applicant has not provided any details to make this commitment enforceable.

Public Benefits and Amenities

Benefits and amenities evaluation are based on an assessment of the additional development gained through the application process. In this instance, the map amendment from R-5-B to a CR PUD would allow the site to be developed at an additional 3.9 FAR (approximately 182,380 square feet) greater density and 50 feet of height. The applicant has provided a comparison table that shows the matter of right development allowed under the R-5-B district, the CR PUD and the proposal (Applicant's September 2, 2011 submission, page 7.)

The Applicant has listed a number of areas which they feel contribute towards the proposed projects benefits and amenities. The development is covered by a Land Disposition Agreement with the District Government and the Commission has in past cases asked for clarification of what is required by other government agreements or legislative action. OP notes that while certain items may not qualify as "amenities" they definitely are benefits and exceed what could result as a matter-of-right. The table below is OP's categorization of the proposed items.

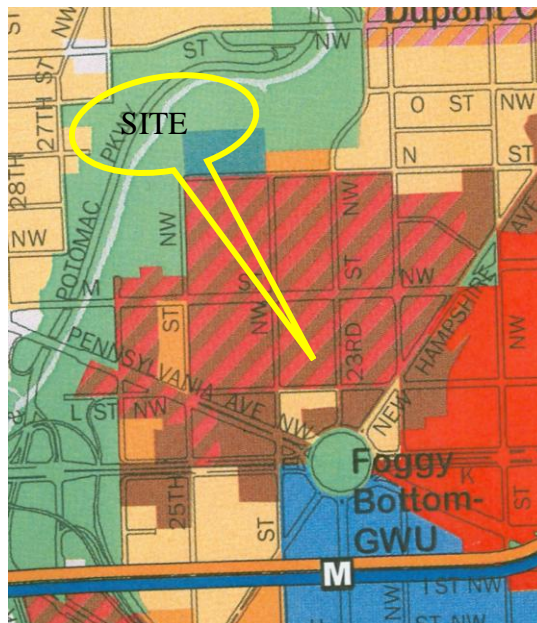
| Applicant's Amenities/Benefits | Required | Mitigation | Public Benefit | Project Amenity |
|---|-----------------|-------------------|-----------------------|------------------------|
| New library and fire station | X | | X | X |
| More bicycle spaces than required | | | X | X |
| Outdoor bike racks | | | X | X |
| Capital BikeShare membership | | | X | X |
| SmarTrip card | | | X | |
| Car share space | | X | | X |
| Electric vehicle charging stations | | | X | |
| Parking space for contractor/service vehicle | | X | | |
| Ward 2 residents priority in training programs | | | X | X |
| New Housing and retail | X | | X | X |
| Environmental Benefits, including LEED-silver | X | | X | |
| Contextual Arch/Urban Design | | | X | |
| Extensive Landscaping | | | X | X |
| Repaving and widening of north alley by 5 feet. | | X | X | |
| \$2,500 for signage and relocation of bus stop | | | | |
| Loading Management | | X | | |
| Contextual Arch/Urban Design | | | X | |
| Extensive Landscaping | | | X | X |
| Repaving and widening of north alley by 5 feet. | | X | X | |
| \$2,500 for signage and relocation of bus stop | | | | |
| Loading Management | | X | | |
| Repaving and widening of north alley by 5 feet. | | X | X | |

OP supports the flexibility to height and density in addition to other areas of flexibility requested and notes that the project would offer a number of public benefits commensurate with the flexibility requested. The applicant has proffered a number of green elements, but as discussed above, has not provided a level of commitment that is enforceable. OP recommends that the applicant provide a final list of proffered amenities.

XI. COMPREHENSIVE PLAN

Generalized Future Land use map

The site is within an area designated for a mixture of high density residential which is characterized by high-rise apartment buildings (8 stories or more) as the predominant uses and Medium Density Commercial characterized by shopping and service areas where retail, office and service businesses are the predominant uses in buildings not to exceed five stories in height. A PUD related CR zoning for the site would not be inconsistent with the Comprehensive Plan.



2006 COMPREHENSIVE PLAN FUTURE LAND USE MAP

Generalized Policy Map

The site is located within an area designated as a neighborhood Conservation Area. The guidance and guiding philosophy toward development in these areas is to:

“conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas but they are small in scale. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map.”

The proposal to redevelopment the site with a mixture of housing, retail and a library are not inconsistent with the designation as a Land Use Change area.



2006 COMPREHENSIVE PLAN POLICY MAP

Comprehensive Plan City-Wide Elements

The Comprehensive Plan text provides a considerable number of policy guidance which are applicable to the proposal.

Land Use Element:

Policy LU-1.3.8: Public Facilities

Encourage the siting (or retention and modernization) of public facilities such as schools, libraries, and government offices near transit stations and along transit corridors. Such facilities should be a focus for community activities and should enhance neighborhood identity.

The development would replace the existing West End Library and Police Operations facility. While the library is incorporated into the proposed development the Police Operations facility will be relocated to Square 55 to the north of the subject property.

Policy LU-2.1.10: Multi-Family Neighborhoods

Maintain the multi-family residential character of the District's Medium and High-Density residential areas. Limit the encroachment of large scale, incompatible commercial uses into these areas, and make these areas more attractive, pedestrian-friendly, and transit accessible.

The proposed residential building is proximate to three transit stations, and many Metro bus and Connector bus routes. Generous pedestrian ways are incorporated the landscape streetscape to accommodate easy access in the area.

Policy LU-2.1.12: Reuse of Public Buildings

Rehabilitate vacant or outmoded public and semi-public buildings for continued use. Reuse plans should be compatible with their surroundings, and should limit the introduction of new uses that could adversely affect neighboring communities.

The proposed development would replace the old West End Library and Police Operations building. A new building would introduce residential use to the property in addition to a new state of the art library and neighborhood retail uses. These proposed uses would be compatible to the existing neighborhood which has a mixture of residential and commercial uses.

Policy LU-2.2.4: Neighborhood Beautification

Encourage projects which improve the visual quality of the District's neighborhoods, including landscaping and tree planting, façade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements.

The redevelopment of the site would add to the beautification of the neighborhood. In recent years, many properties have been developed and this property, owned by the District, has an old library and police operations office. The development brings with it the preservation of existing trees plus additional landscaping around the property.

Transportation Element:

Policy T-2.3.3: Bicycle Safety

Increase bicycle safety through traffic calming measures, provision of public bicycle parking, enforcement of regulations requiring private bicycle parking, and improving bicycle access where barriers to bicycle travel now exist.

The proposed building would have secure bicycle parking areas in the garage including bike racks, shower facilities and a lounge to accommodate bicycle users.

Housing Element:

Policy H-1.1.1: Private Sector Support

Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives.

The proposed residential development is consistent with the recommendation of the Comprehensive Plan's Future Land Use Map and the Generalized Policy Map.

Policy H-1.1.3: Balanced Growth

Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city.

The subject property is currently underutilized with two old buildings. The proposed development would better utilize the property with residential use to provide new housing and while accommodating a new library and neighborhood retail uses.

Policy H-1.1.4: Mixed Use Development

Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations.

The proposal would be a mixed-use development that in the vicinity of three Metro Stations.

Environmental Protection Element:

Policy E-2.2.3: Reducing Home Heating and Cooling Costs

Encourage the use of energy-efficient systems and methods for home insulation, heating, and cooling, both to conserve natural resources and also to reduce energy costs for those members of the community who are least able to afford them.

Policy E-3.2.1: Support for Green Building

Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities.

The applicant is proposing a LEED Silver building that would include extensive green roofs and green terraces as well as water and energy efficient systems that will benefit both the residents of the building and community as a whole.

Urban Design Element:

Policy UD-2.2.1: Neighborhood Character and Identity

Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context.

The proposed density and height of the development are consistent with many of the buildings in the neighborhood. However, there is lower scaled building adjacent to the development that the applicant needs to address.

Policy UD-2.2.5: Creating Attractive Facades

Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street.

The development has a visually eclectic design of glass and metal unlike other buildings in the neighborhood. However, even with its difference, it complements buildings of similar scale.

Policy UD-2.2.6: Maintaining Facade Lines

Generally maintain the established facade lines of neighborhood streets by aligning the front walls of new construction with the prevailing facades of adjacent buildings. Avoid violating this pattern by placing new construction in front of the historic facade line, or by placing buildings at odd angles to the street, unless the streetscape is already characterized by such variations. Where existing facades are characterized by recurring placement of windows and doors, new construction should complement the established rhythm.

Generally, the building maintains established façade lines at the pedestrian level and complements the established rhythm along the street. However, there are areas on the upper floors which project into the public space and in some cases would block visual lines from the adjacent building.

Policy UD-3.1.5: Streetscape and Mobility

Ensure that the design of public space facilitates connections between different modes of travel, including walking, public transit, bicycling, and driving. Bus shelters, benches, bicycle parking, safe pedestrian connections, and clear way-finding signage should be provided to facilitate multi-modal travel.

The Applicant proposes to enhance the adjacent public space to accommodate pedestrians through a wide pedestrian zone, bicycle parking areas and benches. The Applicant has preferred to provide a contribution towards signage and the relocation of an existing bus stop to a more appropriate location. All parking and loading areas would be located so as not to conflict with pedestrian movements.

Policy UD-3.1.7: Improving the Street Environment

Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall.

The development would have ground floor retail uses with clear glass with the possibility of outdoor seating areas that would not conflict with an eight-foot wide pedestrian clear zone.

Community Services and Facilities Element:

Policy CSF-1.1.1: Adequate Facilities

Construct, rehabilitate, and maintain the facilities necessary for the efficient delivery of public services to current and future District residents.

Policy CSF-1.1.4: Addressing Facilities That Are Functionally Obsolete

Develop reuse or disposition plans for public buildings or sites that are functionally obsolete, that cannot be rehabilitated cost-effectively, or that are no longer needed.

Policy CSF-1.1.7: Public Facilities and Economic Development

Locate new public facilities to support economic development and neighborhood revitalization efforts.

Policy CSF-3.1.1: State-of-the-Art Public Library System

Ensure that the District has a state-of-the-art Central Library and branch libraries that meet the information and life-long learning needs of District residents.

Policy CSF-3.2.2: Public-Private Partnerships for Libraries

Explore public-private partnerships to fund the construction of new libraries, including the development of new and remodeled libraries within mixed use projects on existing library sites. In such cases, any redevelopment should conform to the other provisions of this Comprehensive Plan, including the protection of useable neighborhood open space.

The District has partnered with EastBanc to redevelop the site which has the outdated West End Library and police operations building and the replace the fire station in Square 55. The police operations functions will be relocated and a new state of the art library will be incorporated into the proposed development. In addition to the new approximately 20,000 square feet library, the housing and retail uses will further the revitalization of the West End neighborhood. DCPL has worked with the neighborhood to accommodate programs and services that address neighborhood needs.

Economic Development Element:

Policy ED-2.2.3: Neighborhood Shopping

Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites.

Policy ED-3.1.1: Neighborhood Commercial Vitality

Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents.

The proposed development would eliminate an underutilized site developed with a mixed-use building which would provide new housing, modern retail spaces directly accessible from the sidewalk and below-grade parking along. Many green components are incorporated into the design of the building, including the planting of new street trees and other improvements to the adjacent streetscape.

Near Northwest Area Element

The Comprehensive Plan Area Elements places the property within the Near Northwest Area and describes the area as being developed with mixed use developments with major uses being office, hotel and residential with very few vacant spaces remaining. The policies generally recommend that residential use be retained and enhanced by new housing with which the proposed development is consistent.

XII. AGENCY REFERRALS AND COMMENTS

The submission was sent to various District agencies, DC Library Service, Department of Employment Services (DOES) and District of Columbia Department of Small and Local Business Development (DSLBD) have been in discussions with the applicant and have submitted agreements with the applicant. DDOT will submit a report under separate cover.

XIII. COMMUNITY COMMENTS

The property is within ANC-2A. On November 16, 2011 the ANC voted to support of the project with conditions relating to:

- Sensitivity to surrounding buildings;
- Transportation Planning;
- Condominiums; Community Amenities; and
- Construction Management Plan.

XIV. RECOMMENDATION

The Office of Planning (OP) is very supportive of the redevelopment of the subject property (Square 37) that would bring residential use to the property, as well as replace the outdated West End library and police operations facility with modern facilities to benefit the West End neighborhood and the District as a whole. The development would have some environmentally sensitive features that would meet LEED standards.

OP agrees that the provision of the library and fire station are significant public benefits and that the public benefits and amenities balance the flexibility requested.

OP recommends approval of the PUD with the following conditions:

1. Reduction in the residential parking ratio;
2. Pulling back of the northernmost projection on 23rd Street (shown on 6th Floor), so it is flush with the property line to avoid the unnecessary impact on the residential unit in the adjacent building across the alley; and
3. Clarification of the benefits and amenities commitments of the PUD.